

By: Morrison

H.B. No. 1747

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the termination of parental rights with regard to
3 certain abandoned children.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 263.407(a) and (c), Family Code, are
6 amended to read as follows:

7 (a) There is a rebuttable presumption that a parent who
8 delivers a child to a designated emergency infant care provider in
9 accordance with Subchapter D, Chapter 262:

10 (1) is the child's biological parent; ~~and~~

11 (2) intends to relinquish parental rights and consents
12 to the termination of parental rights with regard to the child; and

13 (3) intends to waive the right to notice of the suit
14 terminating the parent-child relationship.

15 (c) Before the court may render an order terminating ~~[filing~~
16 ~~a petition to terminate the]~~ parental rights with regard to a child
17 taken into the department's custody under Section 262.303, the
18 department must:

19 (1) verify with the National Crime Information Center
20 and state and local law enforcement agencies that the child is not a
21 missing child; and

22 (2) obtain a certificate of the search of the
23 paternity registry under Subchapter E, Chapter 160, not earlier
24 than the date the department estimates to be the 30th day after the

1 child's date of birth.

2 SECTION 2. The change in law made by this Act applies to a
3 child for whom the Department of Family and Protective Services
4 assumes responsibility under Subchapter D, Chapter 262, Family
5 Code, regardless of whether the department assumed responsibility
6 for the child before, on, or after the effective date of this Act.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.